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October 29, 2021

**VIA ECF**

The Hon. Jesse M. Furman  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Re: *The Export-Import Bank of the Republic of China v. Republic of the Congo*,  
Case No. 16-cv-4480 (JMF)

Dear Judge Furman:

We represent the Export Import Bank of the Republic of China ("Ex-Im Bank"), judgment creditor in this matter.

On October 29, 2020, this Court issued its opinion and order granting Ex-Im Bank's motion for sanctions (ECF No. 64; the "Order"). In the Order, the Court directed Ex-Im Bank to file a status letter with this Court every two months describing what sanctions had accrued, providing information on any contact or communications with the Democratic Republic of the Congo ("the DRC") regarding the dispute, and stating whether Ex-Im Bank believed that the sanctions ordered should be revisited or modified.

This letter is the status letter required for October 29, 2021. The next status letter will be submitted on Wednesday, December 29, 2021.

Following our letter to the Court of August 30, 2021, we heard from Ms. Benita Kindongo, the DRC's Paris lawyer, indicating that she had transmitted our letter to her client with its French translation.

On September 21, 2021, she advised that she had met with the new DRC Minister of Justice, the Hon. Rose Mutombo, in Paris, and had discussed the case with her.

Shortly thereafter, I was advised that Ms. Mutombo was in New York City for meetings. On September 23<sup>rd</sup>, she and I met in the lobby of her NYC hotel. I brought a French/English translator, and we had a discussion of the case for about a half hour. I advised her of the sanctions imposed by this Court, and also of the continuing interest of Ex-Im Bank in settling the case. On September 24, I sent a detailed letter to Ms. Kindongo reporting on the meeting, and reviewing possible settlement terms.

Since then, we have had further communications with Ms. Kindongo. She advised that there was going to be a meeting of the cabinet during the week of October 11, 2021, and that the case and its possible resolution would be on the agenda. Unfortunately, we have not heard anything

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substantive from her since then; she reported on October 26, 2021, that she is without further information from her client.

Our efforts to discover collectible assets continue. We believe the sanctions regime should also continue. We are not at this time seeking an enhancement of the sanctions.

As of our August 30, 2021 letter, sanctions stood at \$2,385,616. Sixty days have passed since then, with sanctions accumulating at \$11,428 per day, for an additional \$685,680, and thus a grand total as of today of \$3,071,296 in sanctions.

At this time, Ex-Im Bank seeks no change to the terms of the Order.

We shall report once again on December 29, 2021, or sooner, if there are developments of any significance.

As always, of course, we stand ready to provide any further information that the Court may desire.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'PS', followed by a long horizontal flourish.

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cc: Benita Kindongo, Esq.